

**Town of North Smithfield Planning Board**

**Kendall Dean School, 83 Green Street**

**Thursday, May 2, 2013, 7:00 PM**

**The Chair called the meeting to order at 7:00 pm.**

**1. Roll Call**

**Present: Chair Dr. Lucien Benoit, Mali Jones, Dean Naylor, Art Bassett, Gene Simone. Absent: Kerri Tunnicliffe. Also present were Town Planner Robert Ericson and Town Solicitor James Lombardi.**

**2. Approval of Minutes: April 4, 2013**

**Mr. Naylor made a motion to approve the minutes of April 4, 2013, as corrected. Mr. Bassett seconded the motion, with all in favor.**

**3. Navigant Credit Union Major Subdivision: Preliminary Plan with Public Hearing**

**Owner/Applicant: Navigant Credit Union, Location: 925 Victory Highway**

**Assessor's Plat 1, Lot 108, Zoning: BN (Business Neighborhood)**

**Discussion, vote or other action on Preliminary Plan and subsequent Final Plan approval.**

**Attorney John Shekarchi was present for the applicant. Site Engineer**

Brian Brosnan was available to answer the Board's questions on engineering issues. The Chair asked for clarification on the area to be covered by the plastic liner, as it was not shown on the plan. Mr. Brosnan said that he had a copy of the plan that RIDEM had approved and submitted a copy for the record. The Chair also stated that the Board had not gotten copies of the original review from engineer Joe Casali, so he would like that letter entered as part of the record. Navigant had submitted a response to the letter, but the Chair would like the original letter to be part of the record. Mr. Naylor asked Mr. Ericson if everything in Mr. Casali's letter has been addressed by the applicant. Mr. Ericson said that they had followed the standard reconciliation process and the items in the Casali letter have been addressed.

The Chair asked for confirmation that the contaminants will be mitigated by the plastic cap and that none will be leaching into the ground. Mr. Brosnan said that the issue has been mitigated and that RIDEM has submitted a letter that states they are in agreement with these findings and the remedies. The Remediation Action Work Plan identifies the location of the contaminants and the proposed remedies. Public notification to abutters has been provided, and the applicant has spoken with the one abutter who had questions. He said that copies of all this correspondence will be submitted to Mr. Ericson.

The Chair asked about the sewer location and the concern that an

easement may be necessary. Mr. Shekarchi said that he had researched this and had a full title search done on the abutting property. Two out of three title companies said that an easement is not needed, but since there is a bit of doubt left, the applicant has done engineering so that if any time in the future this becomes an issue, there is an alternate plan in place. Mr. Brosnan confirmed that there is room on the property for the alternate plan, but it will need state approvals from DOT and DEM.

The Chair opened the meeting to the public at 7:20. There was no one present to speak to the Board. Ms. Jones made a motion to close the public hearing at 7:21. Mr. Naylor seconded the motion, with all in favor.

The Chair said that he would like to see the applicant come back with the Final Plan. Mr. Ericson stated that under state law the Administrative Officer makes that determination if the Final Plan submission does not meet the requirements set on Preliminary Plan approval. He said that he would provide the Board with the documents to show that all the terms of the approval have been met.

The Chair stated that it has been the policy of the Board that they would like to see the Final Plan. Mr. Ericson discussed the background to the policy. He said in this case there is no reason to postpone the approval for another two weeks. The Chair said that he does not think it's an excessive burden on the applicant.

**Atty Shekarchi stated that the applicant is willing to come back with the Final Plan if it is easier. Mr Ericson said that he did not agree that it is necessary, but he will accept the applicant's offer. Mr. Ericson also clarified that there will be no more questions by the Board or requests to submit additional evidence. Ms. Jones said that she wanted to state her concern that instead of facilitating a timely process for the applicant, the Board is making it more complicated. She is satisfied with the regulations in place and does not think it is necessary for the applicant to come back.**

#### **4. Carey Major Subdivision: Pre-application Plan**

**Owner/Applicant: James Carey, Location: 119 Sayles Hill Rd**

**Assessor's Plat 17, Lot 1 & 127, Zoning: RS (Suburban Residential)**

**Discussion, vote or other action on Pre-application Plan, including recommendations to the Zoning Board of Review regarding required dimensional variances.**

**James Carey of 119 Sayles Hill Road addressed the Board to explain his request for a subdivision. Land surveyor Richard Leddy was also present. The Board reviewed the plans for the proposed subdivision. Lot 1 currently has two structures and Lot 127 has one. Mr. Leddy said that he proposed new lot lines that will place one structure on each lot. Lot 127 also has enough frontage for one more lot, but with the location of the houses, it will look better to place the lot lines such that one if the lots will not have enough frontage. He said that**

currently there is a shared driveway, but they are planning to add a new driveway.

Mr. Ericson questioned whether the Board had approved the Navigant Preliminary Plan. The Chair confirmed they had not, but he would go back to it after this agenda item.

The Chair stated that the frontage requirements for a multi-family houses are greater, and since one of the existing homes is a duplex, they should check to see if the frontage meets these requirements. Mr. Leddy said he will check that and if it doesn't meet the requirements, the applicant will ask for relief from the Zoning Board. Mr. Ericson also said that the applicant could make the duplex into a single-family home in order to meet zoning requirements.

Ms. Jones raised concern regarding the Carey subdivision and the driveway leading to C3. Mr. Naylor suggested the driveway for C3 exit on frontage for C3.

The Board addressed a few concerns, asking about the location of the wells and the septic systems. They also asked if the garage would be taken down since the property line goes through it. Mr. Leddy said that they would either take it down or put an easement around it. Mr. Ericson said that those issues can be addressed when they come back with a master plan.

**The Board discussed whether they would like the applicant to come back with a master plan or go to the Zoning Board for relief first. Mr. Bassett made a motion to recommend that the application goes to zoning after pre-application and before coming back to the Planning Board for Master Plan review. Mr. Simone seconded the motion, with all in favor.**

**Mr. Bassett made a motion that Phase I (C1 and C2) be completed before Phase II (C3 and C4). Mr. Simone seconded the motion, with all in favor.**

**The Chair then asked Mr. Lombardi if the Board could vote to approve the Preliminary Plan for Navigant without the applicant present. Mr. Lombardi said that the Board could vote to approve, but if they were to vote to deny, it should be done with the applicant present. Mr. Naylor made a motion to return to agenda item 3. Mr. Bassett seconded the motion, with all in favor.**

**Mr. Bassett made a motion that the Planning Board approves the Navigant Credit Union Preliminary Major Land Development Plan with revisions to April 22, 2013 for a branch at 925 Victory Highway, Assessor's Plat 1, Lot 108 with the following conditions: that the VHB Soil Restoration Summary, the Casali Engineering letter, the cap details (for mitigating the contaminants), and the VHB summary letter, dated 4/24/13, detailing how they dealt with issues stated in the Casali**

letter, be included as part of the record. Mr. Simone seconded the motion, with all in favor. Motion passed, with a vote of 5-0. The Chair asked Mr. Ericson to notify the applicant of the vote.

5. Intersection of Hanton Rd and Eddie Dowling Hwy: Discussion, vote or other action on remedial actions to improve safety at an unsignaled intersection.

The Chair said that he had asked to put this item on the agenda because he is concerned that the intersection of Hanton Road and Eddie Dowling Highway is unsafe. In order to take a left out of Hanton Road, a car has to travel across five lanes of traffic (to travel toward Park Square). He would like this intersection to be a right-turn only, pointing out that cars can turn around at the traffic signal at the southern entrance to Dowling Village. Mr. Ericson said that RIDOT would have to approve placement of a jersey barrier, but the Town Council could approve a Right Turn Only sign.

Ms. Jones asked if this was brought up in response to any accidents or incidents in that area. The Chair said that he isn't aware of any accidents, but he sees the potential for accidents in the future. He said that there is a safe turnabout at Dowling Village. Mr. Bassett said that the right turn only would be consistent with concerns the Board had with the proposed Walgreens. The Board discussed the traffic safety concerns from Park Square up to the southern entrance to Dowling Village. Ms. Jones said it is difficult to take a left out of many

of the businesses in Park Square, so she has used the intersection at Hanton Road as a turnaround spot in the past. She agreed that the traffic exiting Hanton Road should be directed to take a right hand turn, but asked if placing a jersey barrier would prevent all turnarounds at that intersection. Mr. Ericson said it would, but the Chair said he didn't think that adding another 500 feet would be too much of a burden, and it would make travel much safer.

Mr. Bassett made a motion that the Planning Board recommend that the Town Council approve placing a Right Turn Only sign at the intersection of Hanton Road and Eddie Dowling Highway in the interest of public safety. Mr. Simone seconded the motion, with all in favor.

Mr. Simone made a motion that the Planning Board asks the Town Council to request, for safety purposes, that the Rhode Island Department of Transportation make a study of the area of 146A from Park Square to the southern entrance to Dowling Village. Mr. Bassett seconded the motion, with all in favor.

**6. Capital Budget: Discussion, vote or other action on capital budget items for Police Department, Public Works, Parks and Recreation, and School Department**

The Board discussed the capital budget request and commented that they still do not have the information needed to make an informed



decision on the requests. Mr. Bassett stated that the town needs to institute a process for all town departments to follow in documenting existing equipment and for new capital budget requests. Mr. Bassett said that the process doesn't have to be complicated, but it should be consistent across town. Other members agreed that it is difficult to recommend purchases without adequate information.

Mr. Bassett made a motion that the Planning Board send a recommendation to the Budget Committee that in addition to capital budget training for all town departments, a permanent process be enacted to provide a structure to the capital budget process within the Town of North Smithfield. Mr. Naylor seconded the motion, with all in favor.

Mr. Bassett stated that his comments are about the processes and are not personal. He sees a need for transparency and documentation in this budgeting process.

7. Zoning Ordinance Section 17 review: Discussion, vote or other action under local Charter/ordinance regarding recommendations for changes to the Town Council.

Mr. Ericson said that he has discovered another section of the Zoning Ordinance that was never enacted by the Town Council. Section 17 will go to public hearing on May 20, so the Planning Board can discuss it at the next meeting. Ms. Jones asked if the Board could get

**new copies of the revisions with a key to all the color codes.**

**8. Planning update: Summary of new developments with Dowling Village tenants and traffic, planned bridge repairs, applications in process, trail development, and meetings schedule.**

**Mr. Ericson said that the town has received a \$15,000 grant for trail development in Pacheco Park. He updated the Board on the bridge repairs in Slatersville, stating that there will be a meeting soon, at which he also hopes to get pedestrian improvements approved. He also said that the wind turbine proposal for Dowling Village is still in the works and that a new turbine manufacturer (Goldwind) has been identified, which will make the project more feasible.**

**Mr. Simone made a motion to adjourn at 9:00 pm. Mr. Bassett seconded the motion, with all in favor.**

**Submitted by Angela Pugliese, May 8, 2013**